



PEI Human Rights Commission

Twenty-Fifth
Annual Report
2007-2008



**The Prince Edward Island Human Rights Commission
is an independent, arms-length body
that investigates, attempts to settle and
makes rulings on complaints of discrimination
that fall under the
Prince Edward Island *Human Rights Act***

FRONT COVER PHOTO:

- Standing** - Human Rights Officer Maria McQuaid, Commissioner Maurice Rio, Executive Director David Larter, Commissioner Anne Nicholson, Commissioner John Rogers and Administrative/Intake Officer Lorraine Buell
- Seated** - Commissioner Lou Ann Thomson, Chair Richard Montigny and Commissioner Ann Sherman

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MESSAGE FROM THE CHAIR



Richard W. Montigny, Chair

September 11, 2007, marked the 31st anniversary of the Prince Edward Island Human Rights Commission. Over the past thirty-one years the Commission has worked diligently to advance the human rights of all Islanders. This past year has been no exception.

During the past year we had a change in staff with the acting Executive Director Jim Hornby relocating to Newfoundland. David Larter is currently the Executive Director of the Commission on secondment from the Crown Attorney's office to August 14, 2009. On July 15, 2008, Yolande Richard was appointed to the position of Human Rights Officer with the Commission. Yolande recently traveled to Ottawa where she received the Remarkable Young Woman award from the Alliance des femmes de la francophonie canadienne. Congratulations to Yolande. As well, our Administrative/Intake Officer Lorraine Buell marked her 10th year with the Commission.

Our dedicated staff and Commissioners continue to respond to the many and various responsibilities presented to them, with the goal of continuing the advancement of human rights within our Province.

Our Commissioners include myself as Chair, and Commissioners Maurice Rio, Ann Sherman, Anne Nicholson, recently reappointed Lou Ann Thomson and newly appointed John Rogers. I would like to take this opportunity to thank past Commissioner Gerry O'Connell for his dedication and contributions to the field of human rights.

Our Commissioners oversee the Commission's work as well as conduct panel hearings and write decisions. In the last year we spent 59 days on hearings and decision writing. The Commissioners and staff also respond to the many requests from educational institutes, employers and service providers for presentations on human rights issues.

During the year the Commission held a contest among students from Island schools in which students presented their view of a ground of discrimination through the medium of a poster. I would like to thank all students who participated in this most worthwhile event. Further details on the contest are found within this report.

Our Commission is an active member of the Canadian Association of Statutory Human Rights Agencies (CASHRA). The association is comprised of Commissions from nine of the provinces as well as the three Territories. It offers an opportunity to share information relevant to recent decisions of other panels of inquiry or new developments in the rapidly changing world of human rights.

MESSAGE FROM THE CHAIR

The Prince Edward Island *Human Rights Act* was amended in the Spring sitting of the Legislative Assembly. Some of the changes include:

- changing 'mental handicap' to 'intellectual disability', 'physical handicap' to 'physical disability' and 'guide dog' to 'assist animal';
- adding definitions for 'child', 'family status' and 'parent';
- adding a section requiring the Commission to prepare an annual report for the Office of the Attorney General and for the Minister to lay the said report before the Legislative Assembly;
- adding a section that authorizes a Human Rights Panel to allow a complainant to withdraw a complaint; and
- repealing the section setting compensation limits on political belief discrimination complaints.

As well during the past year the Commission was pleased to be the recipient of the Zia Chisti Memorial Award in recognition of the Commission's dedication and continuous support of the P.E.I. Multicultural Council's projects.

In closing, I want to acknowledge the support I have received from our dedicated Commissioners and staff. Together we will continue to carry out our mandate of protecting human rights on Prince Edward Island and educating Islanders on human rights issues.

COMMISSIONERS

The Commissioners are appointed by the Legislative Assembly on the recommendation of the Standing Committee on Social Development, and come from a variety of personal and professional backgrounds. Each brings experience and human rights expertise to decision-making, and provides leadership in setting the direction and promoting the work of the Commission.

Richard W. Montigny, Chair

Richard Montigny was born and raised in Charlottetown and educated at UPEI and Dalhousie University from which he received degrees in Business Administration and Public Administration. In addition he has completed training courses in a number of subjects. He is employed with the Legislative Assembly. Chairperson Montigny worked for many years as CEO with a PEI municipality and was instrumental in the formation of the PEI Council of Persons with Disabilities. Over the years he has gained extensive experience at the volunteer level through volunteering with a number of community organizations. He currently serves as Secretary-Treasurer of the PEI Cerebral Palsy Association, and is Chairman of the PEI Credit Union Deposit Insurance Corporation. He is also a member of the Council of Canadian Administrative Tribunals. Chairperson Montigny was appointed to the Commission in 2004 and appointed Chairperson in 2006. His term expires on May 19, 2010. He lives in Charlottetown with his wife Marion and they have one daughter Deneige.

Anne Nicholson, Commissioner

Anne Nicholson of St. Andrews Pt. Lower Montague, was born in Montreal and moved to PEI in 1975. Commissioner Nicholson was appointed to the Commission on May 19, 2004. She was reappointed on April 3, 2007. Her term expires on May 19, 2010. As a consultant she has worked with community groups on issues including, health, culture,

relationship violence prevention, and social justice. A graduate of UPEI, Anne has served on the Premier's Action Committee for Family Violence Prevention, The Community Foundation of PEI and as Chair of PEI Advisory Council on the Status of Women. She was also Director of the PEI Rape/Sexual Assault Centre. Anne is currently Project Officer with the Community Legal Information Association of PEI and serves on the Board of Directors of Transition House Association. She lives in St. Andrews Point with her husband, David Bergmark. They have three grown children, Dylan, Lukas and Chloe.

Ann Sherman, Commissioner

Ann Sherman was born in the United Kingdom, she studied at Aberystwyth, Wales and came to Canada in 1969. Commissioner Sherman worked as a librarian and a journalist in New Brunswick before moving to Prince Edward Island in 1979 with her husband Joseph and their children, Rebekah and Matthew. Ann Sherman was appointed Commissioner in 2004. Her appointment was renewed in 2006 and expires in 2009. Commissioner Sherman was employed as Executive Director of the Community Legal Information Association of PEI for over 20 years before her retirement in 2007. She has been active in her community on equality matters and on access to justice issues. She has served as president of the Public Legal Education Association of Canada, been a regional vice-president of the United Nations Association in Canada and has served as president of the Rotary Club of Charlottetown Royalty.

COMMISSIONERS

Maurice Rio, Commissioner

Maurice Rio was appointed Commissioner on April 11, 2006 and his term expires on April 11, 2009. Maurice returned to the Island after 22 years of Federal Government service with the Department of the Solicitor General for Canada. During his employment, he served and lived in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, the Northwest Territories, Newfoundland and Labrador, and Nova Scotia. He has studied languages, mental health and justice at Dalhousie University, the University of Regina and Memorial University of Newfoundland. Maurice dealt in justice issues with his latter years focused on matters concerning immigrants, refugee claimants and visible minorities. Maurice and his wife Claire live in Summerside.

Lou Ann Thomson, Commissioner

Lou Ann Thomson of Georgetown was first appointed to the Commission on April 11, 2006. Commissioner Thomson was reappointed for a second term which expires on April 18, 2011. She has served as a public health nurse in the Canadian North, practiced criminal law, and has served as a part-time member of the National Parole Board. She has experience and training in conflict resolution and has acted for a number of years as a volunteer mediator for youthful offenders in the Restorative Justice Initiative in Nova Scotia. She received her Bachelor of Nursing at Dalhousie University and her Bachelor of Laws at University of Dalhousie Law School. She has a strong record of community involvement and has worked to bring diverse groups together to build a healthy community. After more than 40 years as a parent, a community volunteer, a nurse and a lawyer she remains committed to promoting the dignity of all persons.

John Rogers, Commissioner

John Rogers of the Brae, P.E.I. was appointed to the Commission in 2008. Mr. Rogers holds a B.A. and B.Ed. from the University of Prince Edward Island and a M.Ed. from the University of Ottawa. He retired from the public school system in 2005 after serving as a teacher, vice principal, and principal. At present Mr Rogers is employed as a sessional lecturer in the faculty of education at U.P.E.I. He also devotes a lot of time to the family farm in the Brae and serves on the Boards of a number of community organizations including the P.E.I. Potato Museum and Leard's Pond Environment Project Inc. Mr. Rogers looks forward to his work on the P.E.I. Human Rights Commission promoting the principles of "fair treatment" and "equality of the individual" across this province.



Executive Director:
David Larter

David is the Executive Director of the Commission on secondment from the Crown Attorneys Office, Department of the Attorney General. Born and raised in Charlottetown, he obtained a Bachelor of Business Administration (BBA) degree from the University of Prince Edward Island in 1978 and a Bachelor of Laws (LLB) from the University of New Brunswick in 1984. Admitted to the Bar in 1986, David comes to the Commission with considerable experience before all levels of Courts in the Province as well as most Boards and Tribunals.



Administrative/Intake Officer: B. Lorraine Buell

Lorraine, Administrative/Intake Officer, came to the Commission in February 1998. She is a current member of the Canadian Payroll Association, the International Association of Administrative Professionals, the Council of Canadian Administrative Tribunals and is a Commissioner of Oaths.



Human Rights Officer:
Yolande S. Richard
(July 2, 2007 to October 31, 2008)

Yolande, a native of Mont-Carmel, is a bilingual lawyer and has been a member of the PEI Law Society since 2004. Prior to coming to the Commission, she practised law in the areas of litigation and real estate in Summerside. Yolande is active in Law Society committees, the Rotary Club and groups in the francophone community. She is also a member of the Council of Canadian Administrative Tribunals.



Human Rights Officer:
Maria E. McQuaid
(January 5, 2009 to present)

Maria was born and raised in Stratford, Prince Edward Island. She received a Bachelor of Arts (BA) degree from the University of Prince Edward Island in 2004 and a Bachelor of Laws (LLB) from the University of Ottawa in 2007, where she was a graduate of the French Common Law Program. Maria joined the Commission in January 2009. Prior to coming to the Commission, she articulated and worked as Legal Counsel with the Law Branch of the Supreme Court of Canada. Maria is a member of the Law Society of Upper Canada and the Law Society of Prince Edward Island.

POWERS AND DUTIES OF THE COMMISSION

The Preamble to the Human Rights Act states that "it is recognized that in Prince Edward Island as a fundamental principle that all persons are equal in dignity and human rights".

Since the enactment of the Human Rights Act on September 11, 1976, the Prince Edward Island Human Rights Commission has been empowered to:

- administer and enforce the Act
- develop a program of public information and education in the field of human rights to forward the principle that every person is free and equal in dignity and rights.
- advise government on suggestions, recommendations and requests made by private organizations and individuals.
- report as required by the Minister on the business and activities of the Commission.
- consider, investigate or administer any matter or activity referred to the Commission by the Minister or the Lieutenant Governor in Council.

The *Human Rights Act* is deemed to prevail over all other laws of the Province.

A person may, within one year of an alleged incident, file a complaint with the Commission when he or she believes they have been discriminated against.

The complaint must fall within one or more of the areas covered by the Prince Edward Island Human Rights Act.

The areas are:

Accommodation, Services and Facilities
Lease or Sale of Property
Employment
Equal Pay
Membership in Employee or Professional Organizations
Advertisements and Publications

The complaint must also be based on one or more of the grounds covered by the Prince Edward Island *Human Rights Act*.

The grounds of discrimination are:

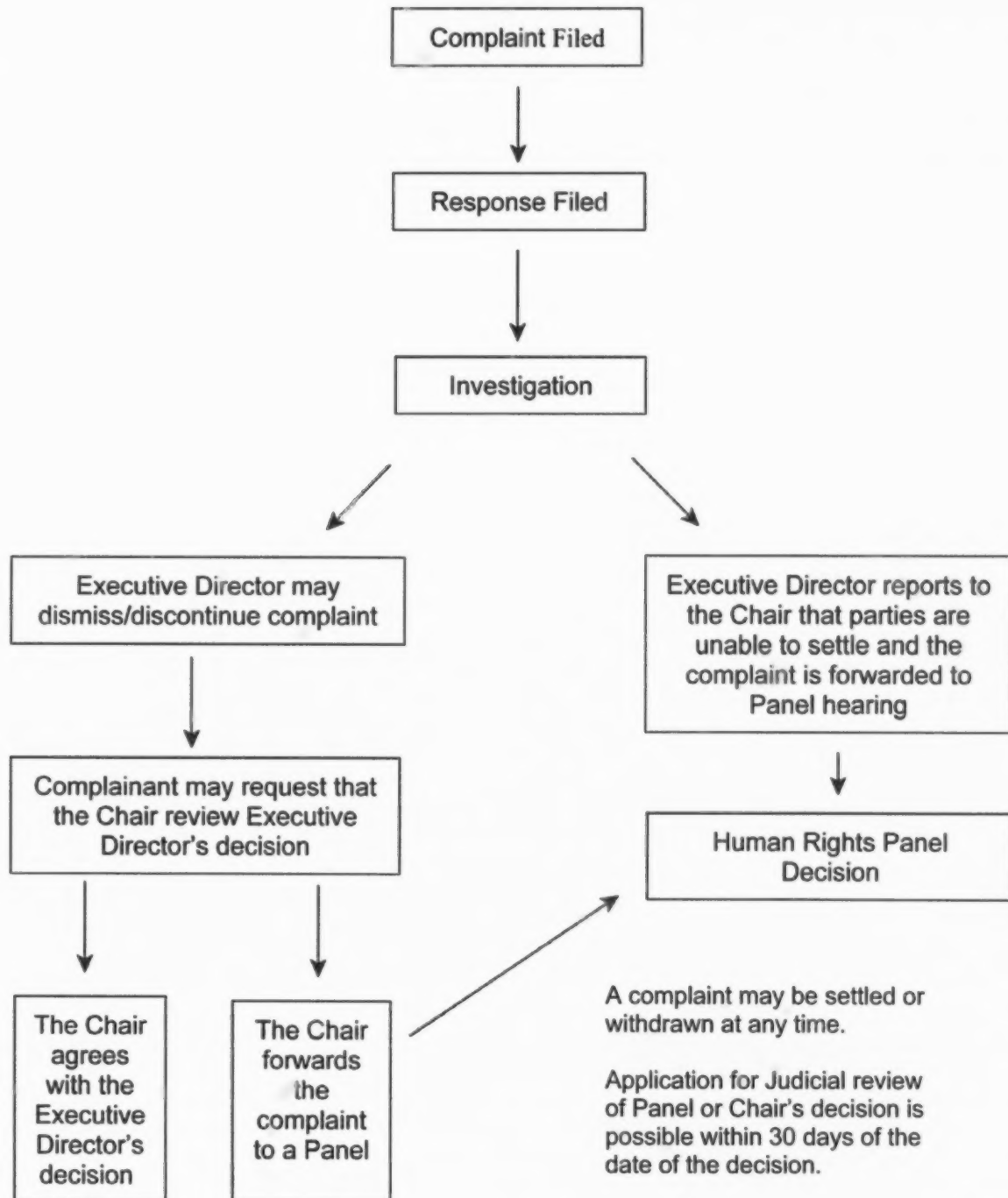
Age
Colour
Creed
Ethnic or National Origin
Family Status
Marital Status
Physical or Intellectual Disability
Political Belief
Race
Religion
Sex
Sexual Orientation
Source of Income

Criminal Conviction is a ground covered in the area of employment only.

Association with an individual or group of individuals is a ground that must be identified with one of the other grounds of discrimination.

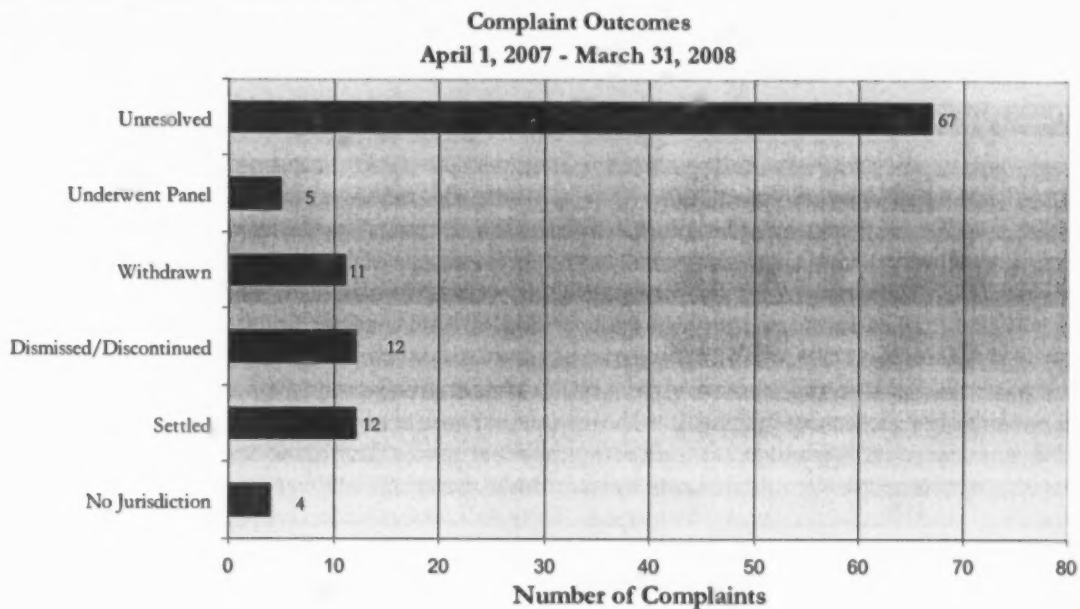
Discrimination is prohibited against any individuals who ***have filed complaints, or have given evidence/assistance during an investigation or at a human rights panel hearing.***

COMPLAINT PROCESS



COMPLAINT STATISTICS

During the 2007-2008 fiscal year, the Commission conducted five panels of inquiry, eleven complaints were withdrawn, twelve complaints were dismissed or discontinued, twelve complaints were settled and four complaints were deemed to not be within the jurisdiction of the Prince Edward Island Human Rights Commission. At year end, sixty-seven complaints in various stages of the complaint process were carried over to the next fiscal year.



- Unresolved:** Complaints under investigation, undergoing settlement negotiations or awaiting a panel hearing.
- Panel:** Complaints that went to a panel hearing.
- Withdrawn:** Complaints withdrawn by complainant or complaints considered withdrawn as complainant cannot be reached.
- Dismissed or Discontinued:** Complaints dismissed or discontinued by Executive Director or Chairperson as set out in the *Act* (s.22(4)).
- Settled:** Complaints settled without going to a panel hearing.
- No Jurisdiction:** Complaints filed that did not fall under the jurisdiction of the PEI *Human Rights Act*, including those complaints filed outside the one year limitation period.

COMPLAINT STATISTICS

There were a total of one hundred and seven active complaints throughout this fiscal year. There were thirty-five unresolved complaints carried over from previous years, and sixty new complaints were filed in 2007-08. In addition to written complaints, the Commission receives close to 1,500 phone inquiries annually from individuals concerned about their rights.

NUMBER OF COMPLAINTS IN AREA AND GROUND					
	Carried over from previous years		Received in 2007-2008		
Ground of Discrimination	Employment	Other Areas	Employment	Other Areas	Total
Age	8		1	1	10
Association					
Colour, Race, Ethnic/National Origin	3	1	2	1	7
Creed/Religion					
Criminal Conviction			3		3
Family Status		1			1
Marital Status					
Physical/Mental Disability	10	7	13	15	45
Political Belief	1		6		7
Sex/Gender (including Pregnancy and Harassment)	3	1	4	1	9
Sexual Orientation	2				2
Source of Income					
Filing a Complaint/Giving Evidence				1	1
Multiple Grounds	4	6	7	5	22
Total Number of Complaints	31	16	36	24	107

As in previous years, most complaints arise in the area of employment (63%), while the most common ground of discrimination is physical/intellectual disability (42%).

SETTLEMENTS

The following summaries are examples of some of the human rights complaints that were settled during the 2007-2008 fiscal year:

Employment - Disability

An employee filed a complaint against her employer alleging discrimination on the basis of disability. The employee was put off work by her physician for a period of four months. The employee, when ready to return to work, was told her position was no longer available. Her position was actually filled by another employee. The employer offered her another position upon her return to work. In a settlement reached by the parties, the employer agreed to reinstate the employee to the position she held prior to sick leave.

Employment - Disability

An employee filed a complaint of discrimination against his employer alleging he was discriminated against on the basis of intellectual disability. When the employee's behaviour changed and there were increased absences from work, the employer dismissed him from his employment. In a settlement reached by the parties, the employer agreed to pay the employee One Thousand One Hundred and Five Dollars in general damages.

Services - Disability

A parent, on behalf of her child, filed a complaint of discrimination against an educational institute alleging her child was discriminated against on the basis of disability. The student did not get to participate in a scheduled event at the end of the school year due to her disability. In a settlement reached by the parties, the Respondent agreed to pay Fifteen Hundred Dollars in general damages and provide a letter of apology. In return, the Complainant withdrew her human rights complaint.

Services - Disability

A person filed a complaint of discrimination against an institution alleging he was discriminated against on the basis of disability. The Complainant was denied access to a treatment program outside the institution. In a settlement reached by the parties, the Respondent agreed to pay Five Hundred Dollars in general damages.

PANEL HEARING AND COURT DECISIONS

The Reverend Gael Matheson v. Presbytery of PEI and Others

Hearing Dates past fiscal year: January 23, 24 and 25, 2006

Date of Decision: August 22, 2006

Panel Members: Ann Sherman (Panel Chair), Richard W. Montigny, Anne Nicholson

This decision was the culmination of a lengthy process involving a number of decisions and reviews of decisions that included two judicial reviews in the Supreme Court of PEI.

The Reverend Gael Matheson filed her complaint with the PEI Human Rights Commission on February 16, 1998, alleging she was discriminated against in her employment as a minister of the Presbyterian Church on the basis of gender. She alleged that she was the victim of a pattern of harassment dating back to 1986. She had not worked as a minister of the church since 1996 when her pastoral tie with the Murray Harbour North Presbyterian Pastoral Charge was severed, and her ministerial license withheld.

The Panel rejected the Respondent's position that the Complainant was responsible for the breakdown of the pastoral relationship, and found that discrimination had occurred as alleged.

Hearing Dates (re Remedies): February 26 and 27, 2007

Date of Decision: May 31, 2007

Panel Members: Ann Sherman (Panel Chair), Richard W. Montigny, Anne Nicholson

The Panel having found, in a decision dated August 22, 2006, that Reverend Gael Matheson was subjected to differential treatment on the basis of gender, held a

separate hearing on remedies – both monetary (damages and costs) and other forms of recompense were sought.

Non-monetary remedies ordered included the release of the complainant's ministerial license, a letter of apology, and a letter of reference (both of the latter two to be approved by the Panel).

Concerning the monetary claims, after looking at the constituent elements of the harassment experienced by the complainant, the Panel awarded \$50,000 in general damages. On the claim for loss of income, after considering the complainant's duty to reduce her loss by seeking other employment, (and reducing the award by 10 per cent due to a partial failure to pursue employment opportunities), the Panel awarded the sum of \$425,058.00 for loss of income during the years 1997-2006.

The Panel also ordered that Reverend Matheson be reinstated to an alternate pastoral charge or other employment within the Presbyterian Church of Canada at the same salary. Some further monetary allowances, adjustments, taxes, and legal fees and costs were awarded, if only in a financial sense, to restore the Complainant to the position she would have been in but for the discrimination practiced.

The Complainant requested that the Panel reconsider certain aspects of its decision based on additional information. Furthermore, the Respondent filed an Application for Judicial Review on the Panel's decisions. Prior to dates being set, the Parties agreed to settle and the Complainant and Respondent withdrew the request for reconsideration and Application for Judicial Review respectively.

PANEL HEARING AND COURT DECISIONS

Murphy, Wonnacott, Douse and Bateman v. Dep't Social Services

Hearing Dates: January 30, 31, February 1, April 25, 2007

Date of Decision: June 26, 2007

Panel Members: Lou Ann Thomson (Panel Chair), Gerry O'Connell, Maurice Rio

Four individuals who filed complaints against the PEI Government's Disability Support Program (DSP) were heard together. They alleged that the government, through the Respondent Department, discriminated against the complainants in the provision of services under the DSP. The grounds of discrimination alleged are age, family status, and physical and intellectual disability.

The issues before the Panel included whether the DSP screening tool discriminated against the intellectually disabled as contrasted with the physically disabled. On this issue the Panel found that the screening tool in fact was weighted against the intellectually disabled, and constituted discriminatory treatment. The Panel also agreed with the claim that income testing of parents with children under 18 does discriminate on the basis of age.

The Panel was unable to find that the claims that support ceilings and lifelong caps on home and vehicle modifications under the DSP are discriminatory, because the Legislature has the authority to set up social programs with limits in order to distribute limited resources.

Further dates for a hearing on damages were to be scheduled. Prior to those dates being set, the parties agreed to settle.

Nilsson, Wills and Fell v. UPEI

Hearing Date: May 7, 2007

Date of Decision: August 1, 2007

Panel Members: Lou Ann Thomson (Panel Chair), Ann Sherman, Maurice Rio

The issue of mandatory retirement in the employment context of the University of Prince Edward Island is now before a PEI Human Rights Panel which is hearing three related complaints together.

The Panel sat to hear submissions on a number of preliminary issues. It issued a ruling ordering that the UPEI Faculty Association be added as a party respondent, that the Canadian Union of Public Employees not be added as a party but be given the opportunity to participate as an intervenor, and that Ms. Fell's complaint against the same Respondent on the ground of sexual discrimination be held in abeyance until the common age-based complaints have been decided.

The Respondent, UPEI, has filed an application for Judicial Review of the Panel's decision on the preliminary issue.

Stephen Dowling v. Government of PEI Dowling v. Gov't PEI and Angela Cormier 2006 PESCTD 42

Hearing Dates: May 2, 4 and 10, 2007

Date of Decision: September 21, 2007

Panel Member: Richard W. Montigny

PANEL HEARING AND COURT DECISIONS

Stephen Dowling filed a complaint alleging discrimination on the basis of political belief and association. In 2004, a PEI Human Rights Panel made a finding that Mr. Dowling was discriminated against by being denied an opportunity to compete for a golf shop supervisor position. The Panel awarded Mr. Dowling damages of \$5,000 for hurt and humiliation, plus \$9,600 in court costs. No wage loss was found.

Mr. Dowling subsequently applied to the Panel for a reconsideration on remedy; when that was denied, he successfully applied to the PEI Supreme Court where he received an order sending the matter back to the Panel to reconsider the remedy portion of the decision.

After hearing evidence and submissions, the Panel found that no further remedy was warranted. Mr. Dowling brought a further application for Judicial Review, however the parties settled amongst themselves prior to the proceeding.

Eastern School Board v. Montigny and Ayangma 2007 PESCTD 18

On December 8, 2005, a PEI Human Rights Panel issued a decision holding that Noel Ayangma had been discriminated against by the Eastern School Board on the basis of his race, colour, ethnic and national origin, and age. The Panel ordered the Eastern School Board to pay Mr. Ayangma \$55,000 plus interest for lost wages, and a further \$6,000 for hurt and humiliation.

The Board filed an application for judicial review of this decision, and Mr. Ayangma also applied for further relief.

Upon its review of the matter, the PEI Supreme Court upheld the Panel's decision, and

dismissed both parties' applications to vary the decision. No costs were awarded.

Mr. Ayangma filed a Notice of Appeal in regard to the issue of damages. The appeal and a subsequent cross-appeal was heard by the Court of Appeal and a decision is pending.

OTHER COURT PROCEEDINGS

The following cases have applications for Judicial Reviews filed with the Court:

Hawkes v. Longhorn Development S1-AD-1120

Hawkes v. Welfare Assistance Appeal Board A1-GS-20841

Kelly v. Attorney General of PEI S1-GS-22444

Ayangma v. Eastern School Board S1-GS-21392

Ayangma v. Canada Health Infoway S1-GS-22233

Eastern School Board v. MacDonald S1-GS-22318

UPEI v. Nilsson et al S1-GS-22363

POSTER CONTESTS

The Prince Edward Island Human Rights Commission held a poster contest among Island students to promote human rights awareness in Island schools. Chair Richard Montigny and Commissioner Maurice Rio presented the students of the winning entries with gift certificates for educational material. Congratulations to the following students:

Elm Street School Summerside

Jill Culleton and
MyKayla Palmer



Kinkora Regional High School

Front row:
Trevor Carmichael
Justin O'Brien

Back Row:
Alex Noonan
Colin Webster
Luke McIver

Missing from photo
Nick Dawson

FINANCIAL STATEMENTS

AUDITOR GENERAL

CHARLOTTETOWN
PRINCE EDWARD ISLAND

PRINCE EDWARD ISLAND

HUMAN RIGHTS COMMISSION

FINANCIAL STATEMENTS

MARCH 31, 2008

FINANCIAL STATEMENTS

AUDITOR GENERAL

CHARLOTTETOWN
PRINCE EDWARD ISLAND

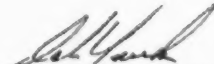
AUDITOR'S REPORT

To the Commissioners of the
Prince Edward Island Human Rights Commission

I have audited the balance sheet of the Prince Edward Island Human Rights Commission as at March 31, 2008 and the statements of revenue, expenditures, and surplus (deficit) and cash flows for the year then ended. These financial statements are the responsibility of the Commission's management. My responsibility is to express an opinion on these financial statements based on my audit.

I conducted my audit in accordance with Canadian generally accepted auditing standards. Those standards require that I plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In my opinion, these financial statements present fairly, in all material respects, the financial position of the Commission as at March 31, 2008 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.



Colin Younker, CA
Auditor General

Charlottetown, Prince Edward Island
April 29, 2008

FINANCIAL STATEMENTS

STATEMENT 1

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

BALANCE SHEET

AS AT MARCH 31, 2008

	<u>2008</u>	<u>2007</u>
ASSETS		
Current Assets		
Cash	\$ 3,166	\$ 6,557
Accounts receivable		
- General	854	406
- Province of PEI	48,994	-
Prepays	625	703
	<u>\$53,639</u>	<u>\$ 7,666</u>
LIABILITIES AND SURPLUS (DEFICIT)		
Current Liabilities		
Accounts payable and accrued liabilities	<u>\$53,639</u>	<u>\$18,845</u>
Surplus (deficit) - Statement 2	<u>-</u>	<u>(11,179)</u>
	<u>\$53,639</u>	<u>\$ 7,666</u>

(The accompanying notes are an integral part of these financial statements.)

SIGNED ON BEHALF OF THE COMMISSION:

COMMISSIONER: Richard W. Montigny

COMMISSIONER: Jim Sherman

AUDITOR GENERAL - CHARLOTTETOWN, PEI

FINANCIAL STATEMENTS

STATEMENT 2

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION
STATEMENT OF REVENUE, EXPENDITURES, AND SURPLUS (DEFICIT)
FOR THE YEAR ENDED MARCH 31, 2008

	<u>2008</u>	<u>2007</u>
Revenue		
Provincial grant	<u>\$378,294</u>	<u>\$278,500</u>
Expenditures		
Commissioners' per diems - Note 4	35,745	28,944
Conferences and training	2,357	3,436
Furniture and equipment - Note 2	6,463	3,409
Memberships	2,488	2,926
Miscellaneous	4,703	4,277
Office maintenance, supplies and subscriptions	7,747	7,561
Photocopying	4,437	5,883
Professional fees	8,434	-
Rent	19,922	19,825
Salaries and benefits - Note 5	248,349	215,201
Travel - Staff	5,705	4,087
- Commissioners	15,534	8,893
Telephone	<u>5,231</u>	<u>5,479</u>
	<u>367,115</u>	<u>309,921</u>
Excess revenue (expenditures) for the year	11,179	(31,421)
Surplus (deficit), beginning of year	<u>(11,179)</u>	<u>20,242</u>
Surplus (deficit), end of year	<u>\$ -</u>	<u>\$ (11,179)</u>

(The accompanying notes are an integral part of these financial statements.)

AUDITOR GENERAL - CHARLOTTETOWN, PEI

FINANCIAL STATEMENTS

STATEMENT 3

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

STATEMENT OF CASH FLOWS

FOR THE YEAR ENDED MARCH 31, 2008

	<u>2008</u>	<u>2007</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Cash received from Province of PEI for operations	\$329,300	\$311,200
Cash paid for salaries and benefits	(206,964)	(215,109)
Cash paid for materials and services	<u>(125,727)</u>	<u>(83,276)</u>
Net increase (decrease) in cash	(3,391)	12,815
Cash (bank advances), beginning of year	<u>6,557</u>	<u>(6,258)</u>
Cash (bank advances), end of year	<u>\$ 3,166</u>	<u>\$ 6,557</u>

(The accompanying notes are an integral part of these financial statements.)

AUDITOR GENERAL - CHARLOTTETOWN, PEI

FINANCIAL STATEMENTS

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

NOTES TO FINANCIAL STATEMENTS

MARCH 31, 2008

1. Purpose of the Organization

The P.E.I. Human Rights Commission is a corporate body which is responsible for administering and enforcing the provincial Human Rights Act. The Commission provides education and public information in the field of human rights. The Commission also inquires into and endeavours to effect a settlement of any complaint of a violation of the Human Rights Act filed with the Commission as prescribed by the Act.

2. Significant Accounting Policy

Basis of Presentation

These statements were prepared in accordance with Canadian generally accepted accounting principles for non-profit organizations, with office equipment, furniture and computer software expensed in the year purchased. Furniture and equipment expensed for the year ended March 31, 2008 were \$6,463 (2007 - \$3,409).

3. Lease Commitment

The Commission has entered into a five year operating lease of its office premises covering the period from July 1, 2006 to June 30, 2011. The Commission also leases a photocopier. The future minimum lease payments for both items are as follows:

<u>Fiscal Year</u>	<u>Amount</u>
2008/09	\$22,568
2009/10	21,579
2010/11	19,600
2011/12	4,900
	<u>\$68,647</u>

4. Commissioners' Per Diems

Commissioners conduct panels of inquiry and for the year ended March 31, 2008 panel hearing per diems totalled \$7,528. The remaining amount was for Commission meetings, education presentations, training and seminars and other Commission business.

FINANCIAL STATEMENTS

PRINCE EDWARD ISLAND HUMAN RIGHTS COMMISSION

NOTES TO FINANCIAL STATEMENTS (continued...)

MARCH 31, 2008

5. Salaries and Benefits

a) Pension Costs

The employees at the Commission participate in a defined contribution pension plan. The Commission makes contributions amounting to 6.95% on that part of the salary on which Canada Pension Plan contributions are made and 8.75% on salary when Canada Pension Plan contributions are not required. The employee is not required to match or contribute to the pension. These contributions are paid to a Registered Retirement Savings Plan (RRSP) as selected by the employee.

b) Vacation Pay and Retirement Allowances

Vacation pay is recorded as a liability when earned. For the year ended March 31, 2008 the vacation accrual was \$3,409 (2007 - \$7,167). Liabilities for retirement and severance are funded by the Province when payments are due.

6. Fair Value of Financial Assets and Liabilities

The fair value of the Commission's cash, accounts receivable, and accounts payable approximate their carrying values.



For more information, please contact us

In Person:

53 Water Street
Charlottetown, PEI

By mail:

Prince Edward Island Human Rights Commission
PO Box 2000
Charlottetown, PE C1A 7N8

By Phone:

(902) 368-4180 or
1-800-237-5031 (toll-free within Prince Edward Island)

By Fax:

(902) 368-4236

By Email:

lbuehl@peihumanrights.ca

Or visit our website:

www.peihumanrights.ca